

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:24-cv-00139-MR**

**SAI ROSE,**

**Plaintiff,**

**vs.**

**AFG DISTRIBUTION, INC.,**

**Defendant.**

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**ORDER**

**THIS MATTER** is before the Court on the Plaintiff's Amended Motion for Reconsideration [Doc. 11] and Amended Motion to Proceed *In Forma Pauperis* [Doc. 12].

The Plaintiff seeks to proceed with this civil action without having to prepay the costs associated with prosecuting the matter. [Doc. 12]. Upon review of the Plaintiff's Amended Application, the Court finds that the Plaintiff lacks sufficient resources from which to pay the filing fee required for this action. Accordingly, the Court finds that the application should be granted.

As to the Plaintiff's Amended Motion for Reconsideration, despite its title, it appears the Plaintiff moves for the undersigned's recusal in this matter. [Doc. 11]. A motion for recusal should be granted only if the judge's "impartiality might reasonably be questioned." 28 U.S.C.A. § 455(a).

Adverse judicial rulings alone, however, “almost never constitute a valid basis for a bias or partiality motion.” United States v. Lentz, 524 F.3d 501, 530 (4th Cir. 2008) (quoting Liteky v. United States, 510 U.S. 540, 555 (1994)). Furthermore, “opinions formed by the judge on the basis of facts introduced or events occurring in the course of the current proceedings, or of prior proceedings, do not constitute a basis for a bias or partiality motion unless they display a deep-seated favoritism or antagonism that would make fair judgment impossible.” Id.

Here, the Plaintiff asserts that the undersigned should be recused on the grounds of “[l]ying] about parts of [the Plaintiff’s] form being blank, the judge was either call[ing] me an idiot or a liar.” [Doc. 11 at 3]. The Plaintiff then refers to the Court’s previous Orders denying the Plaintiff’s Motions to Proceed *In Forma Pauperis* due to deficiencies in the information provided by the Plaintiff. [Id.]. The Plaintiff’s motion clearly takes issue with the Court’s prior rulings that were adverse to him. The Plaintiff’s dissatisfaction with the Court’s prior rulings, however, is not a sufficient basis for recusal. The Plaintiff simply has not articulated any basis to find that the undersigned’s impartiality might reasonably be questioned. Accordingly, the motion for recusal is denied.

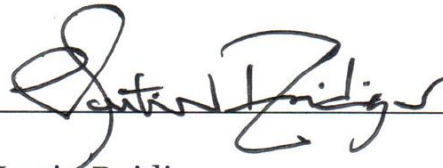
Furthermore, the Plaintiff is cautioned that any forthcoming filings or other contact with the Court or its employees should demonstrate appropriate respect for said institution or persons. Any harassing, abusive, or otherwise inappropriate conduct may result in the imposition of sanctions including the dismissal of all or part of this case.

**IT IS, THEREFORE, ORDERED** that the Plaintiff's Amended Motion to Proceed *In Forma Pauperis* [Doc. 12] is **GRANTED**.

**IT IS FURTHER ORDERED** that the Plaintiff's Amended Motion for Reconsideration [Doc. 11], which the Court construes as a Motion to Recuse, is **DENIED**.

**IT IS SO ORDERED.**

Signed: July 29, 2024

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger  
Chief United States District Judge

